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#2

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
(Optional)
G7Z-1490-US

First Named Inventor: *Dietmar P. Rabussey*

International (PCT) Application No.: **PCT/US03/09031**

U.S. Application No.:

(if known)

Filed: *25 MAR 2003*, claiming priority & and the benefit of US Provisional 60/367,876,
filed *25 MAR 2002*

Title: *Minimizing Metal Toxicity During Electroporation Enhanced Delivery of Polynucleotides*

Attention: PCT Legal Staff

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

Other than small entity - fee \$ 1370 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of the attached documents (identify type of reply):

*Application,
Declaration
Assignment*

has been filed previously on _____.

is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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\$370.00 OP

3. Terminal disclaimer with disclaimer fee

Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

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Signature

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4 DEC 2004

Date

34, 561

Registration Number, if applicable

852 350. 9690

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Enclosures: Response Fee Payment Terminal Disclaimer

Other (please identify):

- ① Application (including claims and abstract; no figures)
- ② Courtesy copy of International Search Report
- ③ Courtesy copy of IB Communication to Designated Offices
- ④ Declaration
- ⑤ Assignment (plus Recordation Cover Sheet)
- ⑥ Transmittal of Application
- ⑦ Postcard
- ⑧ Checkers (BLG nos. 1025, 1026, and 1027)